

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 1, 2010

- D053961 Brady v. Granite Construction Co.**
The judgment is affirmed. Granite is entitled to costs on appeal.
Aaron, J.; We Concur: McConnell, P.J.; Nares, J.
- D056585 Margaret B. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**
The attorney for petitioner Margaret B. has notified the court that a petition for writ
of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed
as there are no viable issues for writ review. The case is dismissed.
- D053210 Coronado City Views, LLC v. Regatta Bay, LLC et al.**
The petition for rehearing is denied.
- D056871 Hutchings v. The Superior Court of San Diego County/People**
Let a peremptory writ issue directing the superior court to vacate its February 23,
2010, order denying the motion for self-representation and enter an order granting
the motion. The opinion will be final immediately as to this court.
Nares, Acting P.J.; We Concur: McIntyre, J., Aaron, J.
- D054146 Dunbar et al. v. Willis**
It is ordered that the opinion filed January 28, 2010, is modified. We remand for
the sole and limited purpose for the court to modify the wording of Paragraph 3 of
the final judgment to conform to the Trustees' concession and the Referee's intent
that the authorized transfers pertain only to the transfer of Economic Interests, and
not full Membership Interests. In all other respects, we affirm the judgment.
Appellant to bear respondents' costs on appeal. The petition for rehearing is denied.
- D054760 Century City Business Services Corporation v. Mail Boxes Etc. et al.**
Upon written stipulation filed by the parties to the appeal, the appeal is dismissed
and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule
8.244(c)(2).) Each party to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 2, 2010

D054345 People v. Hitchner

The order denying Hitchner's petition for relief under section 1203.4 is reversed and the matter is remanded for additional proceedings consistent herewith.
Nares, Acting P.J.; We Concur: McIntyre, J., Aaron, J.

D054615 People v. Vignarath

The judgment is affirmed.
Aaron, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D054564 Quigley et al. v. Toler

Judgment reversed. The court shall vacate its judgment ruling that Clarice Dolly Toller has forfeited her interest in the Quigley Family Trust, and enter a judgment denying Brothers' petition for instructions to enforce the no contest clause.
Respondents to bear appellant's costs on appeal.
Haller, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D056625 M.C. et al. v. Superior Court of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner M.C. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. No timely petition for writ relief has been filed for Milton S. The notice of intent is deemed to be abandoned. The case is dismissed.

D056624 Richard S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Adriana P. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. No timely petition for writ relief has been filed for Milton S. The notice of intent is deemed to be abandoned. The case is dismissed.

D056358 P.A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The court is in receipt of a document from Petitioner P. A. entitled "Writ of Habeas Corpus." Petitioner is represented by appointed counsel who is solely responsible for filing a petition in this case. The clerk's office is directed to return the document to Petitioner. No timely petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 2, 2010 (Continued)

- D056628 D.D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner D.D. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D054247 Cirillo et al. v. Crooks**
The order is affirmed. Each side shall bear its own costs on appeal.
McIntyre, J.; We Concur: Nares, Acting P.J., Aaron, J.
- D054210 Montoya v. Shah**
The punitive damages award is reversed. In all other aspects, the judgment is affirmed. Respondent is entitled to his costs on appeal. (Cal. Rules of Court, rule 8.278(a)(1), (a)(3).) McIntyre, J.; We Concur: Nares, Acting P.J., Aaron, J.
- D055159 People v. Stein**
The judgment is affirmed.
McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.
- D053827 Kohler v. Kindred Nursing Centers West LLC et al.**
Order affirmed. The parties to bear their own costs.
Haller, Acting P.J.; We Concur: O'Rourke, J., Irion, J.
- D056281 Hecker v. Alexander et al.**
The appeal filed November 10, 2009, is dismissed because appellant did not timely deposit costs for preparing the record on appeal.
- D056667 D.O. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for D.O. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 3, 2010

D056059 In re C.C et al., Juveniles

The appeal is dismissed. McConnell, P.J.; We Concur: Haller, J., Irion, J.

D056709 In re Williams on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 4, 2010

- D055325 People v. Delariva**
The judgments are affirmed.
Nares, Acting P.J.; We Concur: McIntyre, J., Aaron, J.
- D054170 People v. Cluke**
D054173 People v. Cluke
(Consolidated) The judgment is affirmed.
McConnell, P.J.; We Concur: Nares, J., Irion, J.
- D056784 The Eastlake Company, LLC v. Superior Court of San Diego/City of Chula Vista et al.**
The petition is denied.
- D055977 Duncan v. Superior Court of San Diego County/People**
Let a writ of prohibition issue preventing the trial court from taking any further action in the case with respect to Duncan, except to (1) vacate the orders denying the motion to dismiss and denying the motion for reconsideration, and (2) enter an order dismissing the charges. The opinion will be final as to this court 10 days after the date of filing. The stay that this court issued on October 26, 2009 is vacated.
Aaron, J.; We Concur: McConnell, P.J., Haller, J.
- D054166 Ryan v. Idearc Media Sales**
Upon written request filed by appellants, the appeal and cross-appeal are dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal. (Cal. Rules of Court, rule 8.244(c)(2).)
- D053060 Ryan v. Idearc Media Sales - West, Inc.**
Upon written request filed by appellants, the appeal and cross-appeal are dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal. (Cal. Rules of Court, rule 8.244(c)(2).)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 5, 2010

- D053413 Bains v. Gardner**
The judgment and postjudgment order vacating the punitive damages award are affirmed. The parties shall bear their own costs.
O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.
- D054354 People v. Carr et al.**
The judgments are affirmed.
O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D055014 People v. Francis**
The judgment is affirmed.
O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D054439 Mike v. Franchise Tax Board**
The judgment is affirmed. CERTIFIED FOR PUBLICATION.
McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.
- D056663 Monica A. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency**
The attorney for petitioner Monica A. has notified the Court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed
- D056899 Larkins v. Superior Court of San Diego County/Stutz Artiano Shinoff & Holtz, APC**
The petition is denied.
- D056744 In re Gonzalez on Habeas Corpus**
The petition is denied.
- D056563 In re Porter on Habeas Corpus**
The petition is denied.
- D056874 Pomerantz v. Superior Court of San Diego County/Kemper Independence Insurance Company**
The petition for writ of mandate and request for stay have been read and considered by Justices McDonald, McIntyre and Aaron. The petition is denied.
- D053991 In re A.G., a Juvenile**
The petition for rehearing is granted. A supplemental briefing schedule will be set at a later date.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
March 5, 2010 (Continued)

D056902 Weber v. Superior Court of San Diego County/City of La Mesa
The petition is denied.